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APR

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,628	03/29/2001	Kenjiro Morimoto	K6510.0056/P056	4427
24998	7590	06/06/2006	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP				NGUYEN, THANH T
2101 L Street, NW				
Washington, DC 20037				
ART UNIT		PAPER NUMBER		
		2144		

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/819,628	MORIMOTO, KENJIRO	
	Examiner	Art Unit	
	Tammy T. Nguyen	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 February 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 25,27 and 29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 25,27 and 29 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. This action is in response to the amendment filed on February 24, 2006.
2. Claims 25, 27, and 29 are pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25, and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 25, 27, recites the limitation of “ one or ones”, the examiner is unclear as to applicant is stating that in the claimed.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. Claims 25, 27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kume et al., (hereinafter Kume) U.S. Patent No. 6,203,433, and Collin et al., (hereinafter Collins) U.S. Patent No. 5,963,951 in view of Chopra et al., (hereinafter Chopra) U.S. Patent No. 6,631,466.
9. As to claim 25, Kume discloses the invention substantially as claimed, Kume discloses including a game task execution management method executable on a server with which a plurality of terminals are connectable via a network system, each of said terminals being executable with the same game program for carrying out a common task, said method comprising the steps of: registering on a database of the server information which is sent from said terminals via the network in response to players' operations on the terminals, respectively, said information including plural items which the players want to register on the server [see Kume, Fig.1, item 11], when received from a terminal in

response to a player's operation via the network, a request for participating the game being played on the other terminal or terminals on the network, registered on the database [see Kume col.1, lines 36-45], (registered in database); and sending to the terminal all the request control-information necessary for starting the game program from a intervene stage of the game currently being played on the terminal [see Kume col.3, lines 21-33, and col.5, lines 48-50]. However, Kume does not explicitly disclose items including a current progress status of the game being executed on each of the terminals.

10. In the same field of endeavor, Collins discloses (e.g., a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria). Collins discloses a current progress status of the game being executed on each of the terminals [see Collins, Abstract, Figure 3, col.2, lines 50 to col.3, lines 4 and lines 50-65]
11. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Collins teachings of a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria with the teaching of Kume, to have a current progress status of the game being executed on each of the terminals for the purpose of providing a less restrictive search criteria until at least one positive result (match) as found [see Collins, col.2, lines 37-47]. Also, Kume does not explicitly disclose searching on or ones matching to the request among the terminals currently on the network of the players.

12. In the same field endeavor, Chopra discloses (e.g., a parallel string pattern searches in respective ones of array of nanocomputers). Chopra discloses searching on or ones matching to the request among the terminals currently on the network of the players [see Chopra col.21, lines 39-51].
13. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Chopra's teachings of a parallel string pattern searches in respective ones of array of nanocomputers with the teachings of Kume to have searching on or ones matching to the request among the terminals currently on the network of the players for the purpose of provides even greater flexibility for packet filtering in a gateway system [see Chopra col.1, lines 60-65].
14. As to claim 27, the limitations of this claims are substantially the same as claim 25, thus are rejected for the same rationale in rejecting claim 25 above, Kume discloses the invention substantially as claimed, Kume discloses including a game task execution management method executable on a server with which a plurality of terminals are connectable via a network system, each of said terminals being executable with the same game program for carrying out a common task, said method comprising the steps of: registering on a database of the server information which is sent from said terminals via the network in response to players' operations on the terminals, respectively, said information including plural items which the players want to register on the server [see Kume figure 1, item 11], upon receipt of a request for participating the game from a terminal through the network, selecting one or ones to the request of the terminals currently on the network and being played with the game by the participants among the

participants registered on the database [see Kume lines 36-45, registered in database]; and transmitting to the terminal on the request common control information so as to start the game program from the same stage of the game as with the selected terminals currently on the network for carrying out the game for a common task in corporation [see Kume col.3,lines 21-33, and col.5, lines 48-50]. However, Kume does not explicitly disclose items including a current progress status of the game being executed on each of the terminals.

15. In the same field of endeavor, Collins discloses (e.g., a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria). Collins discloses a current progress status of the game being executed on each of the terminals [see Collins, Abstract, Figure 3, col.2, lines 50 to col.3, lines 4 and lines 50-65]
16. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Collins teachings of a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria with the teaching of Kume, to have a current progress status of the game being executed on each of the terminals for the purpose of providing a less restrictive search criteria until at least one positive result (match) as found [see Collins, col.2, lines 37-47].
17. As to claim 29, the limitations of this claims are substantially the same as claim 25, thus are rejected for the same rationale in rejecting claim 25 above, Kume discloses the invention substantially as claimed, Kume discloses the invention substantially as

claimed, Kume discloses including a game progress management method on a server to which a plurality of terminals are connectable, each of said terminals being executable with a game program for carrying out a common task, said method comprising the steps of: registering individual information of the user at the terminal including a game progress status on the terminal and a request with the user's desired condition for participating the game sent from each of said terminals [see Kume col.1, lines 36-45 and fig.1, item 11]; selecting from the registered terminals one which matches with the request to organize a team for carrying out the common task on the game [see Kume all element in fig.2] ; sending to each of said selected terminals control information for game as a team, and when a terminal of said selected terminals requests to start the game program form an intervene stage of the game being played on the other of the selected terminal, intervene stage of the game [see Kume col.3, lines 21-33, and col.5, lines 48-50]. However, Kume does not explicitly disclose the game being executed on each of the terminals.

18. In the same field of endeavor, Collins discloses (e.g., a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria). Collins discloses the game being executed on each of the terminals [see Collins, Abstract, Figure 3, col.2, lines 50 to col.3, lines 4 and lines 50-65]

19. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Collins teachings of a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria with the teaching of Kume, to have

the game being executed on each of the terminals for the purpose of providing a less restrictive search criteria until at least one positive result (match) as found [see Collins, col.2, lines 37-47].

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

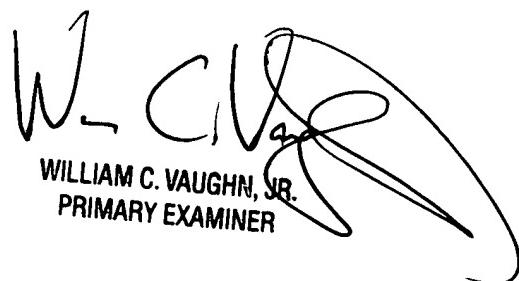
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TNN
May 25, 2006



WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "W. C. Vaughn". Below the signature, the name "WILLIAM C. VAUGHN, JR." is printed in capital letters, followed by "PRIMARY EXAMINER" in a smaller font.